



IT IS ORDERED as set forth below:

Date: July 15, 2013

**Robert E. Brizendine
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION**

IN RE:	:	CHAPTER 13
JOHN ANTHONY ALLEN	:	CASE NUMBER G10-22836-REB
CATREESE JOHNSON ALLEN	:	
DEBTORS	:	JUDGE BRIZENDINE

**CONSENT ORDER ON TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO
PROVIDE TAX REFUNDS**

On April 24, 2013 at 10:15 a.m., the Court held a hearing on the Trustee's Motion to Dismiss based upon the Debtors' failure to remit tax refunds to the Chapter 13 Trustee. It further appears to the Court that the Debtors through counsel, agreed at the call of the Court's calendar to a consent agreement. For cause shown, **IT IS HEREBY**

ORDERED that due to the Debtors spending their 2010 and 2011 tax refunds, the plan base shall be increased by \$3,567.00 and **IT IS FURTHER**

ORDERED that the Debtors shall remit all future Federal Income tax returns to the

Trustee by May 15th of each calendar year for the remaining years the case is pending.

Additionally, unless a further Court Order of the Court allows retention, the Debtors shall pay any tax refund for the remaining years of the Debtors' Plan to the Trustee by May 15th of each calendar year. If the Debtors fail to provide either the tax refund or tax return to the Trustee by May 15th, then the case shall be dismissed without further notice or hearing. The Trustee shall submit a Status Report to the Court requesting an Order of Dismissal. Prior to recommending dismissal of the case, the Trustee shall contact the Debtors' attorney via email or telephone to alert them of the default with an opportunity to cure the default. Additionally, a letter will be sent to the Debtors at the beginning of each calendar year requesting a copy of the tax return and requesting the refund to be sent to the Chapter 13 Trustee.

The Clerk of the Court is directed to serve notice of this Order to the Debtors, Debtors' attorney, and the Chapter 13 Trustee.

END OF DOCUMENT

CONSENTED TO BY:

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*Signed by Eric W. Roach
with express permission*